

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation)	
)	
or Suspension of the Educator)	ORDER OF SUSPENSION
)	(BREACH OF CONTRACT)
Certificate of Nicholas Kramer)	
)	
Certificate 191379)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on February 8, 2006. On January 9, 2005, the Office of Educator Certification sent Nicholas Kramer a notice of his right to a due process hearing regarding the possible suspension of his South Carolina educator certificate by certified mail, return receipt requested, delivery restricted to addressee. Mr. Kramer received the notice, as evidenced by the signed postal receipt. Mr. Kramer did not request a hearing during the period specified by the notice letter. After considering the evidence presented, the State Board voted to suspend Mr. Kramer's certificate for one year.

FINDINGS OF FACT

Mr. Kramer holds a valid South Carolina educator certificate with one year of teaching experience. Mr. Kramer held a contract for the 2005-2006 school year with the Greenville County School District (District), and was assigned as an eighth grade Math teacher at Berea Middle School. On August 26, 2005, Mr. Kramer notified his principal that his last day of employment would be September 23, 2005. On October 18, 2005, the District notified Mr. Kramer that he would not be released from his contract. When Mr. Kramer did not return to work, the District Board of Trustees voted on October 26, 2006, to request the suspension of Mr. Kramer's certificate as a result of his breach of contract.

CONCLUSIONS OF LAW

The State Board may suspend the certificate of any person for unprofessional conduct. S.C. Code Ann. §§ 59-25-150 and 160 (2004). Breach of contract is deemed to be unprofessional conduct. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Regs. 43-58 (1992). The State Board finds that there is sufficient evidence supporting its conclusion that Mr. Kramer breached his contract with the Greenville County School District, warranting the suspension of Mr. Kramer's certificate 191379 for a period of one year, from February 8, 2006, through February 7, 2007. Should Mr. Kramer wish to have his certificate reinstated at the end of the suspension period, he may make a written request for reinstatement to the Office of Teacher Certification.

South Carolina State Board of Education

By: /S/ Joe Isaac
Joe Isaac, Chair

Columbia, South Carolina
February 8, 2006